

# **EXHIBIT B**

IN THE SUPREME COURT OF OHIO

THE OHIO ORGANIZING COLLABORATIVE, <i>et al.</i> ,	:	Case No. 2021-1210
	:	
	:	<b>APPORTIONMENT CASE</b>
<i>Petitioners,</i>	:	
v.	:	Filed pursuant to S.Ct.Prac.R. 14.03(A)
OHIO REDISTRICTING COMMISSION, <i>et al.</i> ,	:	and Section 9 of Article XI of the Ohio
	:	Constitution to challenge a plan of
	:	apportionment promulgated pursuant to
	:	Article XI.
<i>Respondents.</i>	:	
	:	

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**PETITIONERS' THE OHIO ORGANIZING COLLABORATIVE, ET AL. JOINDER  
IN RENEWED MOTION FOR AN ORDER DIRECTING RESPONDENTS TO SHOW  
CAUSE AND MOTION TO SCHEDULE CONTEMPT HEARING FILED BY  
PETITIONERS BRIA BENNETT, ET AL. IN CASE NO. 2021-1198**

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Alicia L. Bannon (PHV 25409-2022)  
Yuri Rudensky (PHV 25422-2022)  
Harry Black (PHV 25544-2022)  
BRENNAN CENTER FOR JUSTICE  
AT NYU SCHOOL OF LAW  
120 Broadway, Suite 1750  
New York, NY 10271  
Tel: (646) 292-8310  
Fax: (212) 463-7308  
alicia.bannon@nyu.edu

Brian A. Sutherland (PHV 25406-2022)  
REED SMITH LLP  
101 Second Street, Suite 1800  
San Francisco, CA 94105  
Tel: (415) 543-8700  
Fax: (415) 391-8269  
bsutherland@reedsmith.com

Peter M. Ellis (0070264)  
*Counsel of Record*  
M. Patrick Yingling (PHV 10145-2022)  
REED SMITH LLP  
10 South Wacker Drive, 40th Floor  
Chicago, IL 60606  
Tel: (312) 207-1000  
Fax: (312) 207-6400  
pellis@reedsmith.com  
mpyingling@reedsmith.com

*Attorneys for Petitioners*  
*The Ohio Organizing Collaborative, et al.*

(listing of counsel for petitioners continued on next page)

Ben R. Fliegel (PHV 25411-2022)  
REED SMITH LLP  
355 South Grand Avenue, Suite 2900  
Los Angeles, CA 90071  
Tel: (213) 457-8000  
Fax: (213) 457-8080  
bfliegel@reedsmith.com

Brad A. Funari (PHV 3139-2022)  
Danielle L. Stewart (0084086)  
Reed Smith Centre  
REED SMITH LLP  
225 Fifth Avenue  
Pittsburgh, PA 15222  
Tel: (412) 288-4583  
Fax: (412) 288-3063  
bfunari@reedsmith.com  
dstewart@reedsmith.com

*Attorneys for Petitioners*  
*The Ohio Organizing Collaborative, et al.*

(counsel for respondents listed on next page)

**Counsel for Respondents**

C. Benjamin Cooper (0093103)

*Counsel of Record*

Charles H. Cooper, Jr. (0037295)

Chelsea C. Weaver (0096850)

COOPER & ELLIOTT, LLC

305 West Nationwide Boulevard

Columbus, Ohio 43215

Tel: (614) 481-6000

Fax: (614) 481-6001

benc@cooperelliott.com

chipc@cooperelliott.com

chelseaw@cooperelliott.com

Erik J. Clark (0078732)

*Counsel of Record*

Ashley Merino (0096853)

ORGAN LAW LLP

1330 Dublin Road

Columbus, Ohio 43215

Tel: (614) 481-0900

Fax: (614) 481-0904

ejclark@organlegal.com

amerino@organlegal.com

*Counsel for Respondent*

*Ohio Redistricting Commission*

*Special Counsel for Respondents*

*Senator Vernon Sykes and*

*House Minority Leader C. Allison Russo*

(counsel for respondents listed on next page)

**Counsel for Respondents**  
**(Cont.)**

W. Stuart Dornette (0002955)  
Beth A. Bryan (0082076)  
Philip D. Williamson (0097174)  
TAFT STETTINIUS & HOLLISTER LLP  
425 Walnut St., Suite 1800  
Cincinnati, Ohio 45202-3957  
Tel: (513) 381-2838  
Fax: (513) 381-0205  
dornette@taftlaw.com  
bryan@taftlaw.com  
pwilliamson@taftlaw.com

Phillip J. Strach  
Thomas A. Farr  
John E. Branch, III  
Alyssa M. Riggins  
Greg McGuire  
NELSON MULLINS RILEY &  
SCARBOROUGH LLP  
4140 Parklake Ave., Suite 200  
Raleigh, North Carolina 27612  
Tel: (919) 329-3812  
Fax: (919) 329-3799  
phil.strach@nelsonmullins.com  
tom.farr@nelsonmullins.com  
john.branch@nelsonmullins.com  
alyssa.riggins@nelsonmullins.com  
greg.mcguire@nelsonmullins.com

*Counsel for Respondents*  
*Senate President Matt Huffman and*  
*House Speaker Robert Cupp*

OHIO ATTORNEY GENERAL  
Bridget C. Coontz (0072919)  
*Counsel of Record*  
Julie M. Pfeiffer (0069762)  
Michael A. Walton (0092201)  
*Assistant Attorneys General*  
Michael J. Hendershot (0081842)  
*Deputy Solicitor*  
30 E. Broad Street, 16th Floor  
Columbus, OH 43215  
Tel: (614) 466-2872  
Fax: (614) 728-7592  
bridget.coontz@ohioago.gov  
julie.pfeiffer@ohioago.gov  
michael.walton@ohioago.gov  
michael.hendershot@ohioago.gov

*Counsel for Respondents*  
*Secretary of State Frank LaRose, and*  
*Auditor Keith Faber*

John W. Zeiger (0010707)  
Marion H. Little, Jr. (0042679)  
Christopher J. Hogan (0079829)  
ZEIGER, TIGGES & LITTLE LLP  
3500 Huntington Center  
41 South High Street  
Columbus, Ohio 43215  
Tel: (614) 365-9900  
zeiger@litohio.com  
little@litohio.com  
hogan@litohio.com

*Counsel for Respondent*  
*Governor Mike DeWine*

**Counsel for *Amici Curiae***

Subodh Chandra (0069233)  
Donald Screen (0044070)  
*Counsel of Record*  
THE CHANDRA LAW FIRM LLC  
The Chandra Law Building  
1265 West 6th Street  
Cleveland, Ohio 44113  
Tel: (216) 578-1700  
subodh.chandra@chandralaw.com  
donald.screen@chandralaw.com

Janette McCarthy Wallace (0066257)  
Anthony P. Ashton\*  
Anna Kathryn Barnes\*  
NAACP  
Office of the General Counsel  
4805 Mount Hope Drive  
Baltimore, MD 21215  
Tel.: (410) 580-5777  
jlouard@naacpnet.org  
aashton@naacpnet.org  
abarnes@naacpnet.org

Jon Greenbaum\*  
Ezra D. Rosenberg\*  
Pooja Chaudhuri\*  
LAWYERS' COMMITTEE FOR CIVIL  
RIGHTS UNDER LAW  
1500 K Street, N.W., Ste. 900  
Washington, D.C. 20005  
Tel.: (202) 662-8600  
jgreenbaum@lawyerscommittee.org  
erosenberg@lawyerscommittee.org  
pchaudhuri@lawyerscommittee.org

\*Not Admitted to the State Bar of Ohio

*Counsel for Amicus Curiae The Ohio  
State Conference of the NAACP*

Stephanie Marie Chmiel (0087555)  
Mary Elizabeth Csarny (0097682)  
THOMPSON HINE LLP  
41 S. High Street, Suite 1700  
Columbus, OH 43215  
Tel.: (614) 469-3247  
Fax: (614) 469-3361  
stephanie.chmiel@thompsonhine.com  
mary.csarny@thompsonhine.com

*Counsel for Amicus Curiae David Niven*

Andrew William Garth (0088905)  
*City Solicitor*  
Emily Smart Woerner (0089349)  
*Deputy City Solicitor*  
Shannon Doyle Price (0100744)  
*Assistant City Solicitor*  
CITY OF CINCINNATI  
801 Plum Street, Room 214  
Cincinnati, Ohio 45202  
Tel.: (513) 352-3307  
Fax: (513) 352-1515  
emily.woerner@cincinnati-oh.gov  
shannon.price@cincinnati-oh.gov

*Counsel for Amicus Curiae City of  
Cincinnati*

Donald C. Brey (0021965)  
Ryan C. Spitzer (0093515)  
ISAAC WILES & BURKHOLDER, LLC  
Two Miranova Place, Suite 700  
Columbus, Ohio 43215-5098  
Tel.: (614) 221-2121  
Facsimile: 614-365-9516  
dbrey@isaacwiles.com

*Counsel for Amicus Curiae Renew Ohio*

## STATEMENT OF JOINDER

Petitioners The Ohio Organizing Collaborative et al. (the “OOC Petitioners”) hereby join in the Renewed Motion for an Order Directing Respondents to Show Cause and to Schedule a Contempt Hearing filed by Petitioners Bria Bennett et al. (the “Bennett Petitioners”) on March 29, 2022 in Case No. 2021-1198. For the reasons stated in the Bennett Petitioners’ motion, the OOC Petitioners request that this Court require the Ohio Redistricting Commission (the “Commission”) and each of its members to explain in detail:

- (1) Why they adopted a remedial plan on March 28, 2022 (the “Fourth Plan”) that was, by their own admission, based on the Commission’s plan of February 24, 2022 (the “Third Plan”), despite this Court’s decision to “invalidate the [Third Plan] in its entirety,” *League of Women Voters of Ohio v. Ohio Redistricting Comm’n*, 2022-Ohio-789 (“LWV III”) ¶ 44, and this Court’s repeated order that the Commission “draft and adopt an entirely new General Assembly district plan that conforms to the Ohio Constitution.” *League of Women Voters of Ohio v. Ohio Redistricting Comm’n*, 2022-Ohio-342 (“LWV II”) ¶ 67; *LWV III* ¶ 44.
- (2) Why they chose to adopt a remedial plan drafted almost exclusively by partisan staffers, outside of public view, despite this Court’s directive that “*the commission draft and adopt*” a plan, with the drafting to “occur in public.” *LWV III* ¶ 44 (emphasis in original); *see also LWV II* ¶ 67 (“We further order the commission to be reconstituted, to convene, and to draft and adopt” a new plan); *League of Women Voters v. Ohio Redistricting Comm’n*, 2022-Ohio-65 (“LWV I”) ¶ 138 (“we order the commission to be reconstituted under Article XI, Section 1, to convene, and to ascertain and adopt” a new plan).
- (3) Why they adopted a remedial plan that continues to allocate competitive seats between Democrats and Republicans with gross asymmetry, despite this Court’s repeated holding that plans may not allocate competitive districts between the two parties in a “monolithically disparate” fashion. *LWV II* ¶ 40; *LWV III* ¶ 34.
- (4) Why they refused to adopt a plan drafted and proposed by independent mapmakers selected by members of both parties, which does not contain the constitutional infirmities described in (1), (2), or (3).

OOC Petitioners request that the Court require Respondents to submit responses no later than no later than 9:00 a.m. on Wednesday, March 30, 2022, and furthermore schedule a hearing

on the motion on Thursday, March 31, 2022. OOC Petitioners also ask this Court to declare that no steps be taken to implement the Fourth Plan, including the making of any directives to local boards of election, pending resolution of this motion, in accordance with its “inherent authority . . . to compel obedience of [its] lawfully issued orders.” *Cramer v. Petrie*, 537 N.E.2d 882, 884 (Ohio 1994).

If the Court finds that Respondents’ explanation for why the Commission did not adopt a constitutionally compliant plan using the process as ordered by the Court is inadequate, then in addition to the Court directing Respondents to take further action to comply with the Court’s order, the Court should (a) find the Commission and, as the Court deems appropriate, individual Respondents, in contempt pursuant to R.C. 2705 and its inherent contempt power, (b) award OOC Petitioners’ attorneys’ fees under R.C. 2323.51, with any such fees issued against the Commission and its members jointly or severally, or apportioned between Respondents as the Court deems appropriate, or (c) order any other remedy that the Court deems appropriate.

Dated: March 29, 2022

Respectfully submitted,

*/s/ Brian A. Sutherland*

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Alicia L. Bannon (PHV 25409-2022)  
Yurij Rudensky (PHV 25422-2022)  
Harry Black (PHV 25544-2022)  
BRENNAN CENTER FOR JUSTICE  
AT NYU SCHOOL OF LAW  
120 Broadway, Suite 1750  
New York, NY 10271  
Tel: (646) 292-8310  
Fax: (212) 463-7308  
alicia.bannon@nyu.edu

Brian A. Sutherland (PHV 25406-2022)  
REED SMITH LLP  
101 Second Street, Suite 1800  
San Francisco, CA 94105  
Tel: (415) 543-8700  
Fax: (415) 391-8269  
bsutherland@reedsmit.com

Peter M. Ellis (0070264)  
*Counsel of Record*  
M. Patrick Yingling (PHV 10145-2022)  
REED SMITH LLP  
10 South Wacker Drive, 40th Floor  
Chicago, IL 60606  
Tel: (312) 207-1000  
Fax: (312) 207-6400  
pellis@reedsmit.com

Ben R. Fliegel (PHV 25411-2022)  
REED SMITH LLP  
355 South Grand Avenue, Suite 2900  
Los Angeles, CA 90071  
Tel: (213) 457-8000  
Fax: (213) 457-8080  
bfliegel@reedsmit.com

Brad A. Funari (PHV 3139-2022)  
Danielle L. Stewart (0084086)  
Reed Smith Centre  
REED SMITH LLP  
225 Fifth Avenue  
Pittsburgh, PA 15222  
Tel: (412) 288-4583  
Fax: (412) 288-3063  
bfunari@reedsmit.com  
dstewart@reedsmit.com

*Attorneys for Petitioners*  
*The Ohio Organizing Collaborative, et al.*

## CERTIFICATE OF SERVICE

I, M. Patrick Yingling, hereby certify that, on March 29, 2022, I caused a true and correct copy of the foregoing Joinder of Renewed Motion for an Order Directing Respondents to Show Cause and Motion to Schedule Contempt Hearing Filed by Petitioner Bria Bennett, et al. in Case No. 2021-1198 to be served by email upon the counsel listed below:

### Counsel for Respondents

W. Stuart Dornette (0002955)  
Beth A. Bryan (0082076)  
Philip D. Williamson (0097174)  
TAFT STETTINIUS & HOLLISTER LLP  
425 Walnut St., Suite 1800  
Cincinnati, Ohio 45202-3957  
Tel: (513) 381-2838  
Fax: (513) 381-0205  
dornette@taftlaw.com  
bryan@taftlaw.com  
pwilliamson@taftlaw.com

Phillip J. Strach  
Thomas A. Farr  
John E. Branch, III  
Alyssa M. Riggins  
Greg McGuire  
NELSON MULLINS RILEY &  
SCARBOROUGH LLP  
4140 Parklake Ave., Suite 200  
Raleigh, North Carolina 27612  
Tel: (919) 329-3812  
Fax: (919) 329-3799  
phil.strach@nelsonmullins.com  
tom.farr@nelsonmullins.com  
john.branch@nelsonmullins.com  
alyssa.riggins@nelsonmullins.com  
greg.mcguire@nelsonmullins.com

*Counsel for Respondents*  
Senate President Matt Huffman and  
House Speaker Robert Cupp

*(counsel listing continued on next page)*

Erik J. Clark (0078732)  
*Counsel of Record*  
Ashley Merino (0096853)  
ORGAN LAW LLP  
1330 Dublin Road  
Columbus, Ohio 43215  
T: (614) 481-0900  
F: (614) 481-0904  
ejclark@organlegal.com  
amerino@organlegal.com

*Counsel for Respondent*  
*Ohio Redistricting Commission*

OHIO ATTORNEY GENERAL  
Bridget C. Coontz (0072919)  
*Counsel of Record*  
Julie M. Pfeiffer (0069762)  
Michael A. Walton (0092201)  
*Assistant Attorneys General*  
Michael J. Hendershot (0081842)  
*Deputy Solicitor*  
30 E. Broad Street, 16th Floor  
Columbus, OH 43215  
Tel: (614) 466-2872  
Fax: (614) 728-7592  
bridget.coontz@ohioago.gov  
julie.pfeiffer@ohioago.gov  
michael.walton@ohioago.gov  
michael.hendershot@ohioago.gov

*Counsel for Respondents*  
Secretary of State Frank LaRose, and  
Auditor Keith Faber

C. Benjamin Cooper (0093103)  
*Counsel of Record*  
Charles H. Cooper, Jr. (0037295)  
Chelsea C. Weaver (0096850)  
COOPER & ELLIOTT, LLC  
305 West Nationwide Boulevard  
Columbus, Ohio 43215  
Tel: (614) 481-6000  
Fax: (614) 481-6001  
benc@cooperelliott.com  
chipc@cooperelliott.com  
chelseaw@cooperelliott.com

*Special Counsel for Respondents*  
Senator Vernon Sykes and  
House Minority Leader C. Allison Russo

John W. Zeiger (0010707)  
Marion H. Little, Jr. (0042679)  
Christopher J. Hogan (0079829)  
ZEIGER, TIGGES & LITTLE LLP  
3500 Huntington Center  
41 South High Street  
Columbus, Ohio 43215  
Tel: (614) 365-9900  
zeiger@litohio.com  
little@litohio.com  
hogan@litohio.com

*Counsel for Respondent*  
Governor Mike DeWine

**Counsel for Amici Curiae**

Subodh Chandra (0069233)  
Donald Screen (0044070)  
*Counsel of Record*  
THE CHANDRA LAW FIRM LLC  
The Chandra Law Building  
1265 West 6<sup>th</sup> Street  
Cleveland, Ohio 44113  
Tel: (216) 578-1700  
subodh.chandra@chandralaw.com  
donald.screen@chandralaw.com

Janette McCarthy Wallace (0066257)  
Anthony P. Ashton\*  
Anna Kathryn Barnes\*  
NAACP  
Office of the General Counsel  
4805 Mount Hope Drive  
Baltimore, MD 21215  
Tel.: (410) 580-5777  
jlouard@naacpnet.org  
aashton@naacpnet.org  
abarnes@naacpnet.org  
\*Not Admitted to the State Bar of Ohio

*Counsel for Amicus Curiae The Ohio State Conference of the NAACP*

Stephanie Marie Chmiel (0087555)  
Mary Elizabeth Csarny (0097682)  
THOMPSON HINE LLP  
41 S. High Street, Suite 1700  
Columbus, OH 43215  
Tel.: (614) 469-3247  
Fax: (614) 469-3361  
stephanie.chmiel@thompsonhine.com  
mary.csarny@thompsonhine.com

*Counsel for Amicus Curiae David Niven*

Andrew William Garth (0088905)  
*City Solicitor*  
Emily Smart Woerner (0089349)  
*Deputy City Solicitor*  
Shannon Doyle Price (0100744)  
*Assistant City Solicitor*  
CITY OF CINCINNATI  
801 Plum Street, Room 214  
Cincinnati, Ohio 45202  
Tel.: (513) 352-3307  
Fax: (513) 352-1515  
emily.woerner@cincinnati-oh.gov  
shannon.price@cincinnati-oh.gov

*Counsel for Amicus Curiae City of Cincinnati*

Jon Greenbaum\*  
Ezra D. Rosenberg\*  
Pooja Chaudhuri\*  
LAWYERS' COMMITTEE FOR CIVIL  
RIGHTS UNDER LAW  
1500 K Street, N.W., Ste. 900  
Washington, D.C. 20005  
Tel.: (202) 662-8600  
jgreenbaum@lawyerscommittee.org  
erosenberg@lawyerscommittee.org  
pchaudhuri@lawyerscommittee.org  
\*Not Admitted to the State Bar of Ohio

Donald C. Brey (0021965)  
Ryan C. Spitzer (0093515)  
ISAAC WILES & BURKHOLDER, LLC  
Two Miranova Place, Suite 700  
Columbus, Ohio 43215-5098  
Tel.: (614) 221-2121  
Facsimile: 614-365-9516  
dbrey@isaacwiles.com

*Counsel for Amicus Curiae Renew Ohio*

*Counsel for Amicus Curiae The Ohio  
State Conference of the NAACP*

Dated: March 29, 2022

By: /s/ M. Patrick Yingling  
M. Patrick Yingling (PHV 10145-2022)  
REED SMITH LLP  
10 South Wacker Drive, 40th Floor  
Chicago, IL 60606  
Tel: (312) 207-1000  
Fax: (312) 207-6400  
mpyingling@reedsmith.com

*Attorneys for Petitioners  
The Ohio Organizing Collaborative, et al.*